

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES  
APRIL 8, 2014**

At 7:22pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 11, 2014, in accordance with Public Law 1975, Chapter 231.

**FLAG SALUTE**

The flag salute was led by Mayor McGee. Following the flag salute a moment of silence was observed.

**ROLL CALL**

Present: Chau, Devine, Dewees, O'Neill, Perri, Piergiovanni, Travagline

Mayor Jerry McGee, Solicitor Kris Facenda, Municipal Engineer Dan Kwapinski and Chief Robert James were also in attendance.

**READING AND APPROVAL OF THE MINUTES**

A motion was made by Councilman Perri, seconded by Councilman O'Neill to dispense with the reading of the minutes of March 25, 2014. They have been posted, distributed to Council, and are on file in the Municipal Clerk's Office.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O'Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

**COMMITTEE REPORTS**

Councilman Perri reported that the Senior Committee will hold a meeting April 24, 2014 at 6:00pm at City Hall. He noted all are welcome and stated that many senior members are returning after dealing with health issues. He added that it is good to have them back. He shared that he attended the luncheon at the American Legion Post 295 and there was a ceremony to honor Milt Parker, who had 70 years of service, and Francis Nugent, who had 50 years of service. He stated it was humbling to see and he offered his congratulations to them. He reported that he is still waiting to hear from the State Health Benefits Plan. He further noted that there are sewer issues coming up. He added that the budget as posted shows administrative and executive but does not delineate each individual line item. This is the condensed version. He shared that he would like to receive a line by line detailed budget in the future, as well as the condensed version.

Councilman O'Neill reported the proposed purchase of a server to replace the existing, aging server. He commended CFO Stollenwerk and Municipal Clerk Canesi

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for their efforts. He stated he is looking forward to competitive proposals, including some from local vendors.

Councilman Piergiovanni acknowledged Bob Webb for his efforts at getting the new shed built at the Veterans' Park. He stated that he will be meeting with Ken Mosca from Atlantic City Electric along with Councilman Dewees to discuss the electric issues. He reported that the City Engineer has come up with a new plan to address the drainage issues and it should begin in about a week and a half.

Councilman Dewees noted a letter was sent to all of Council indicating that Dr. Fipp has announced her retirement and the details are to be worked out.

Council President Travagline added that she will be missed.

Councilman Devine reported that he attended the Mainland Regional High School Board meeting. He noted that they discussed at length the hiring of a full-time ten month policeman with a cost share 55/45 split between the MRHS and Linwood.

Councilman Chau read the EMS report for the month of March. He noted that New Jersey American Water will be attending a future Council meeting to present the City with the grant for the radios that was applied for through the Fire Department. He stated that Gurwicz has withdrawn his application from Planning Board. He referred to and commented that Resolution 71-2014 is for the implementation of a traffic study that will take about a year to complete, in the areas of Oxford Circle, Amherst Avenue and Steelman Avenue. He noted that the residents will be notified and asked for their input. He shared that the last time the Mainland Regional High School Superintendent was retiring so was the Superintendent of Northfield and the idea of sharing services came up. He stated that at that time, it did not come to fruition with Northfield but the opportunity exists again to explore sharing services with Linwood and possibly Mainland and or all three sending Districts. He explained that there are eight Districts in Atlantic County that will lose a Superintendent this year.

Councilman O'Neill asked for an update on the Fire Truck and asked where will it be housed?

Councilman Chau answered that it will be housed here.

Councilman O'Neill asked if all the documents have been received.

Councilman Chau stated that to his knowledge, the paperwork has been going back and forth but he isn't sure where things stand.

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Municipal Clerk Canesi clarified that the vendor has supplied all the statutory paperwork that they need to provide and the last remaining item is the execution of the contract, which happened today. Pierce Manufacturing requested that we scan and email a copy of the executed contract, with the hard copy to be put in postal service delivery. The postal service mail is the only piece that has not yet been completed.

**MAYOR'S REPORT**

Mayor McGee reported that he and Council President Travagline had a shared service meeting last week with Mayor DePamphilis and his Council President. He shared he is in the process of planning the Memorial Day Parade. He asked if anyone has any suggestions or wants to be involved to contact Lynn Perri.

Councilman O'Neill asked if the Chief's test has been posted, as this was mentioned at the March 25<sup>th</sup> meeting.

Mayor McGee stated that it just got confirmed today.

Councilman O'Neill asked if they have a 60 day study period and then take the test.

Mayor McGee deferred to Chief James.

Chief James stated the written test will be here at City Hall on June 9<sup>th</sup> and on June 16<sup>th</sup> they return for the oral portion. He added both sessions are conducted by the State Chief's Association.

Councilman O'Neill asked how quickly we will get the results.

Chief James answered in a matter of days.

Councilman O'Neill asked if there was a procedure for the two towns.

Mayor McGee stated that he and Chief James make the selection and if there is trouble we move to the Council members that are on the Mayor's Committee.

Councilman O'Neill asked if the Mayor of Linwood will be part of the Mayors Committee.

Mayor McGee stated that he wasn't sure if the Mayor of Linwood was going to be on the Committee due to a conflict.

Chief James also stated he wasn't sure whether or not he would be on the Committee since it involves the rank and Chief.

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Councilman O'Neill asked if we have ten days from the oral test to make a decision.

Councilman Perri noted that the entire process is outlined in the Municipal Code.

Chief James confirmed Councilman Perri's comment and clarified that it is Chapter 61.

**ENGINEER'S REPORT**

The City Engineer's written report was provided to Mayor and Council and is on file in the Municipal Clerk's office. Dan Kwapinski of Schaffer, Nassar, Scheidegg Consulting Engineers, LLC, was in attendance and available for questions.

Councilman Perri asked if it was resolved as to what portion of Phase II that the New Jersey American Water Company was going to contribute.

Engineer Kwapinski answered that it would be intersection of Roosevelt Avenue.

Councilman Perri asked if the City will pick up the tab for the trenches.

Engineer Kwapinski stated that was in the final plan. He added that where they tie in they will be doing the final paving.

Mayor McGee asked if this is a shared cost and not a shared service.

Engineer Kwapinski stated there is no sharing; they are doing their repair and we are doing ours; but yes it would have been a shared cost.

Councilman Perri stated he would like to meet with the Engineer at Haddon Avenue and Broad Street. He asked if the maintenance guarantees have been paid out.

Engineer Kwapinski stated that Arawak Paving is coming back but we are waiting for the weather. He shared that they plan to do the work in concert with some work they are doing on Tilton Road. He also confirmed the presence of the defect that Councilman Perri was referring to. He stated the boring was done and it did pass Department of Transportation specifications. He added he was not sure why it happened.

Mayor McGee asked for an estimate for the road work and a breakdown of costs with and without the shared costs.

Engineer Kwapinski stated he has looked at that and has provided calculations. He noted that the City needs to decide who would bear what portion of the costs.

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Councilman Chau asked about the concern from Mr. Wolfe of Davis Avenue. He asked for clarification that item M6 from the Engineer's report is referring to this issue.

Engineer Kwapinski answered yes.

Councilman Chau asked if it was costly.

Engineer Kwapinski stated it's not costly and could be done. He noted that the existing general repairs contract does provide for this type of repair.

**PUBLIC SESSION**

Council President Travagline opened the meeting to the public and asked if anyone wished to speak on any subject.

Robert Webb, 218 West Revere Avenue, stated he was opposed to the new Fire Truck and new Cherry Picker. He added he has nothing against the Firemen, but feels they were against the Volunteer Rescue Squad when it was disbanded. He added that Atlanticare costs too much money. He stated that Northfield Rescue Squad provided service for free. He commented that the Mayor should appoint the Police Chief and it should not be political. He urged the use and purchase of Army surplus equipment. He also commended Mayor McGee for doing a good job.

Council President Travagline, seeing no one else wishing to speak closed the public session.

**RESOLUTIONS / CONSENT AGENDA**

Council President Travagline stated that all matters listed under the Consent Agenda are considered to be routine in nature, and having been reviewed by Council, will be enacted by one motion. Any item may be removed from the Consent Agenda at the request of any Council Member and if so removed, will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

Councilman Devine motioned, Councilman Chau seconded to vote on Resolution 74-2014.

Municipal Clerk read the Resolution by title.

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**74-2014** Approval of Specifications and Authorization to Proceed with Advertisement for Bids for the Purchase of an Aerial Bucket Truck for The Public Works Department

Councilman Perri noted that the County Executive has been on the radio urging consolidation, regionalization and privatization. He added that we should be able to privatize or do a shared service on this one.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – No; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman Piergiovanni motioned, Councilman Dewees seconded to vote on Resolution 75-2014.

Municipal Clerk read the Resolution by title.

**75-2014** Resolution of the City Council of the City of Northfield, County of Atlantic, New Jersey Authorizing the Council President Pro Tempore to Execute A Certain Agreement with James M. Rutala Associates, LLC

Councilman Chau stated that he wants to vote in favor of this but has additional concerns about the \$35,000 that was set aside. He added that he hopes Council will carefully consider if the Council wants to move forward with the \$35,000.

Councilman Dewees agreed with Councilman Chau’s concerns.

Councilman Perri noted that he had no other comment aside from what was presented earlier.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – No; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman O’Neill motioned, Councilman Perri seconded to vote by Consent Agenda on Resolutions 67-2014 through 73-2014 and 76-2014 and 77-2014.

Council President Travagline read the Executive Sessions of Council will be held at the end of the meeting, and we will come back in Public Session to make a comment for the record after the Executive Session. Any vote made on subjects discussed will be made in public.

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- 67-2014** Authorize the Hiring of Zachary Pettit as a Seasonal Concession Stand Attendant for Birch Grove Park
- 68-2014** Authorize the Hiring of Jerry Slotterback as a Seasonal Laborer for Birch Grove Park
- 69-2014** Final Change Order #1 - 2012 Paving Project
- 70-2014** Authorizing Schaeffer, Nassar, Scheidegg Consulting Engineers to Proceed with Certain Projects - 2014 Road Paving Project
- 71-2014** To Formally Request that the County of Atlantic Loan Certain Equipment to the City of Northfield to Facilitate a Traffic Study
- 72-2014** A Resolution Approving a Request for Proposals for the Replacement of the Municipal File Server for the City of Northfield
- 73-2014** Resolution of Support for Bicycle and Pedestrian Safety Planning Assistance from the New Jersey Department of Transportation
- 76-2014** A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12, Regarding Possible Anticipated Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality
- 77-2014** A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12, Regarding Pending Litigation in the Matter of Jack Trocki Development Co., LLC, v. City of Northfield

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman O’Neill motioned, Councilman Perri seconded to adopt by Consent Agenda on Resolutions 67-2014 through 73-2014 and 76-2014 and 77-2014.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

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**PAYMENT OF BILLS**

Councilman Dewees motioned, Councilman Chau seconded, for payment of bills in the amount of \$ 1,133,593.53.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman Chau read the meeting notices.

**EXECUTIVE SESSIONS OF COUNCIL**

Council President Travagline announced that Council will be entering an Executive Session and the resolution was adopted earlier in the evening.

**76-2014** A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12, Regarding Possible Anticipated Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality

The Municipal Clerk read the resolution by title and said she would defer to the Solicitor for an explanation of the subject matter to be discussed and the amount of time which could be expected to elapse before the minutes of the non-public session could be released.

Solicitor Facenda stated Council will enter into an Executive Session to discuss correspondence received on behalf of Max Gurwicz sent in connection with the development of property known as Block 17, Lot 4, 7-12, as well as Block 2208, Lot 10. This matter has the potential to result in litigation and for that reason confidential and attorney client privileged communications between this Council and its legal Counsel is necessary in order to determine how to best proceed regarding this correspondence. He noted that the time to elapse before the minutes are released is unknown at this time.

*At 8:04 Council adjourned to the Clerk’s office*

*At 9:28 the Executive Session ended and Council returned to chambers*

Solicitor Facenda stated that the Executive Session concluded and no official action will be taken at this time. The matters discussed were the correspondence as well as the potential for litigation in connection with the development of property known as Block 17, Lot 4, 7-12, as well as Block 2208, Lot 10 and for that reason confidential

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and attorney client privileged communications took place. At this point the matter remains open and the estimated time for release of the minutes of the Executive Session is unknown.

**77-2014**        A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12, Regarding Pending Litigation in the Matter of Jack Trocki Development Co., LLC, v. City of Northfield

The Municipal Clerk read the resolution by title and said she would defer to the Solicitor for an explanation of the subject matter to be discussed and the amount of time which could be expected to elapse before the minutes of the non-public session could be released.

Solicitor Facenda stated Council will enter into an Executive Session to discuss pending litigation with Jack Trocki Development Co. LLC and the purpose is to discuss with Council a recent settlement conference and settlement options that have been presented to the City. He does not anticipate release of the minutes at this time as the litigation is open and ongoing.

Councilman Perri noted his prior recusals in this matter but stated he has no present obligation and asked if he should continue to recuse himself.

Solicitor Facenda recommended that Councilman Perri continue to recuse himself.

*At 9:32 the doors were closed and Council remained in Council chambers for the Executive Session*

*At 9:42 the Executive Session ended*

Solicitor Facenda stated that the Executive Session concluded and that Council has been updated as to the status of the litigation and any settlement offers and recent discussions. He noted that no decision was made and litigation continues so minutes will not be released until litigation has been settled and completed.

At 9:44pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC Municipal Clerk